

REMARKS

As a preliminary matter, Applicant designated FIG. 8 as “Prior Art” as suggested by the Examiner, and requests withdrawal of the objection to the drawings on this basis.

Claims 1-8 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant’s Admitted Prior Art (AAPA) in view of Sweeny (U.S. Patent No. 1,559,804). In response, Applicant amended independent claim 1 to further clarify that the coupling member connects the vacuum pump to the floor panel so as to prevent shrinkage of the flexible pipe at the time of evacuation, and respectfully traverse the rejection as it applies to the amended claim.

It is acknowledged by the Examiner on page 2, last paragraph and page 3, first paragraph of the outstanding Office Action that Applicant’s Admitted Prior Art (AAPA) does not teach a mechanism, specifically, a coupling bar attached to the vacuum pumps near the flexible pipe in the floor panel to reduce shrinking. However, the Examiner asserts that Sweeny teaches this feature.

Sweeny describes brace rods 18, 18’, 22, and a vertical rod 24. The vertical rod 24 is asserted in the Office Action as corresponding to the coupling member of the present application. However, the brace rods 18, 18’, and 22 and the vertical rod 24 merely fix the air hose 16, which is asserted in the Office Action as corresponding to the flexible pipe of the present application, in such a manner that the air hose 16 is inclined downwardly (See FIG. 1 and pg. 2, Ins. 73-115 of Sweeny). Thus, Sweeny fails to teach

In the Drawings:

The attached sheet of drawings includes a change to FIG. 8. An Annotated Sheet showing the change is attached along with a Replacement Sheet.

or suggest a mechanism for fixing the vacuum pump so as to prevent shrinkage of the flexible pipe at the time of evacuation.

Claims 9 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA and Sweeny, and further in view of Elliotte (U.S. Patent No. 2,663,894). In response, Applicant traverses the rejection for the reasons recited above with respect to the rejection of amended claim 1.

Since claims 9 and 11 ultimately depend upon claim 1, they necessarily include all the features of their associated independent claim plus other additional features. Thus, Applicant submits that the §103(a) rejection of claims 9 and 11 has also been overcome for the same reasons mentioned above to overcome the rejection of independent claim 1, and also because Elliotte fails to overcome the deficiencies of Sweeny.

Elliotte is also silent regarding shrinkage of a flexible pipe at the time of evacuation. Elliotte merely teaches chains 106 for preventing extension of a flexible pipe, which the Office Action asserts as corresponding to the chain serving as the coupling member of the present application. The chains 106 connect the clips 105 to the keyhole slots 107 so as to prevent the flexible pipe 59, which the Office Action asserts as corresponding to the flexible pipe of the present application, from being extended. The chains 106 do not prevent shrinkage of the flexible pipe 59 (See FIG. 1 of Elliotte). Elliotte teaches at column 4, line 68 to column 5, line 2 that the chains are operated in the position shown in FIG. 1 to prevent the cleaner frame from dropping too low in the event

the wheels pass over deep ruts and the like. Thus, the chains 106 do not prevent shrinkage of the flexible pipe 59, but instead prevent extension of the flexible pipe. For these reasons, withdrawal of the §103 rejection is respectfully requested.

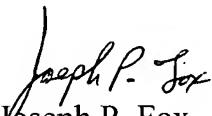
New claims 12-19 are added, and are believed to be allowable at least for the reasons recited above with respect to the rejection of independent claim 1. Applicant earnestly solicits allowance of new claims 12-19.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Joseph P. Fox

Registration No. 41,760

April 10, 2007
300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978



5 / 5

